

Appl. No. 10/779,835
Amdt. dated June 6, 2006
Reply to Office Action of March 6, 2006

REMARKS

Claims 1-31 are pending and were examined. Claims 1-5, 8, 9 and 11 have been rejected under 35 U.S.C. §102. Claims 6, 7, 10, 13-16, 18, 25-31 have been rejected under 35 U.S.C. §103. Claims 17 and 19-24 have been objected to as being dependent upon a rejected base claim. Claim 12 has been rejected without mention of any grounds for rejection. Claims 1, 13, 16 and 27 have been amended. Claims 1-31 remain for consideration. No claims were canceled and no claims were added. No new matter has been added.

In the Office Action, the Examiner objects to claims 17 and 19-24 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. The Applicant appreciates the Examiner's finding of allowable subject matter. However, rather than rewriting 17 and 19-24 in independent form, the Applicant asserts that claim 16 is allowable, as now written, and therefore claims 17 and 19-24 which depend directly or indirectly from claim 16, are novel and non-obvious, as explained in detail below. Since claims 17 and 19-24 are deemed allowable, Applicant respectfully requests that the objections to claims 17 and 19-24 be reconsidered and withdrawn.

In the Office Action, the Examiner rejects claims 1-5, 8, 9 and 11 under 35 U.S.C. §102(b) as allegedly being unpatentable over United States Patent No. 5,546,660 to Burout et al. (hereinafter the Burout reference or Burout). These rejections are respectfully disagreed with, and are traversed below.

The Examiner alleges that Burout discloses all of the elements of claim 1 of the present application including a multiple blade razor cartridge comprising a plurality of support members each having a plurality of blades seats. In support of the rejection, the Examiner alleges that FIG. 2, blades support 41 and FIG. 7, support block 435 disclose a support member having a plurality of blade seats. The Examiner also alleges that the Burout reference discloses a plurality of blade seats forming a two point row. The Examiner also alleges that the support block 425 discloses at least one retaining member. The Examiner also highlights ends of the blade support structure shown in FIG. 8 of Burout and alleges that they disclose "support members." (FIG. 8 of the Burout reference, as highlighted by the

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Examiner, at page 3 of the Office Action). The Applicant disagrees with the Examiner's characterization of the Burout reference.

The Burout reference is merely seen to disclose a razor head comprising a support structure having side portions positioned outside the cutting path of the blade edges and which are formed of a resilient material, for example, a synthetic rubber-like compound. The Burout reference includes a resilient material utilized in the construction of the support structure at a pivotal connection between two relatively movable members in order to dampen vibrations. More particularly, the Burout reference describes a cartridge support structure 50 pivotally connected via torsion members 22, 32 and 42 to three corresponding blade supports 21, 31 and 41. (Burout at column 3, lines 9-12). The Burout reference discloses only one blade support per blade. For example, the Burout reference (at column 6, lines 58-65) states:

"This embodiment, which is illustrated in FIGS. 7 and 8, comprises a razor head having two blades, a forward blade 420 and a rear blade 430, which are supported by a unitary blade support structure. As shown in FIG. 7, the blade support structure comprises a laterally extending forward support block 425 and rearward support block 435 for the blades which extend substantially for the entire length of the blades. Each blade block terminates in a rocking portion 428, 438 which is provided with a corresponding connecting pin 429, 439 for pivotal movement relative to the cartridge support structure 440."

Without addressing the patentability of claim 1 as previously presented in view of the Burout reference and merely to streamline prosecution of the present application, clarifying amendments have been made to claim 1. Unlike claim 1 of the present application, the Burout reference does not disclose, teach or suggest all of the limitations of claim 1. For example, as now written claim 1 recites:

"1. (Currently Amended) A multiple blade razor cartridge comprising:
a plurality of razor blades;
a plurality of support members, each of said support members having a plurality of blade seats spaced apart from one another along a length of said support member;
wherein each of said blade seats of each of said support members is separated from a next successive blade seat of said support member by a flexible hinge;

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a plurality of retaining members connecting said support members such that said support members are spaced apart from each other and arranged so that each of said blade seats is approximately aligned with a corresponding blade seat defined by a next successive support member thereby forming a plurality of rows of approximately aligned blade seats;

each of said plurality of razor blades being fixed to one of said rows of blade seats; and wherein

said flexible hinges and thereby said support members are deformable in response to an externally applied force such that a relative angle between successive razor blades is variable."

It is respectfully submitted that the support block 435 of the Burout reference is not seen to disclose, inter alia, a plurality of support members, each support member having a plurality of blade seats spaced apart from one another along a length of the support member, as recited in amended claim 1. Instead, Burout is seen to disclose a unitary blade support structure having two support blocks 425 and 435. Each of the support blocks 425 and 435 terminate in a rocking portion 428, 438.

Moreover, each of support blocks 425 and 435 are seen to provide only one "blade seat" which engages only one razor blade over substantially the entire length of the blade. As such, the Burout reference is not seen to disclose "support members . . . spaced apart from each other . . . thereby forming a plurality of rows of approximately aligned blade seats;" as recited in claim 1, as now written. It follows that Burout can not possibly disclose, inter alia, "each of the plurality of razor blades being fixed to one of said rows of blades seats" as recited in claim 1 of the present application, because substantially the entire length of each of the blades shown in Burout are engaged with a corresponding support block and thus only one blade seat is fixed to each razor blade.

In addition, the Burout reference is not seen to disclose, inter alia, "a plurality of retaining members" as recited in claim 1 as now written. It is respectfully submitted that the support block 425 shown the in the Burout reference, is not "a plurality of retaining members connecting said support members . . . and arranged so that each of said blade seats is approximately aligned with a corresponding blade seat defined by a next successive support member thereby forming a plurality of rows of approximately aligned blade seats" as recited in claim 1 of the present application.

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Because the Burout reference fails to disclose all of the limitations recited in claim 1 as now written, the Applicant respectfully requests that the rejection of claim 1 be reconsidered and withdrawn.

Claims 2-5, 8, 9, 11 and 12 depend directly or indirectly from claim 1. Because claim 1 is asserted to be novel for the reasons presented above, defendant claims 2-5, 8, 9, 11 and 12 are necessarily novel. Applicant, therefore, respectfully submits that claims 2-5, 8, 9, 11 and 12 are allowable. Accordingly, Applicant respectfully requests that the rejections of claims 2-5, 8, 9, 11 and 12 be reconsidered and withdrawn.

In the Office Action, the Examiner rejects claims 6, 7, 10, 13-16, 18, 26-28 and 31 under 35 U.S.C. §103(a) as allegedly being unpatentable over the modified device of Burout in view of U.S. Patent No. 5,953,825 to Christman et al (hereinafter the Christman reference). In support of these rejections, the Examiner alleges that the support members are deformable in response to externally applied force such that a relative angle between successive razor blades is variable. These rejections are respectfully disagreed with, and are traversed below.

Claims 13, 16 and 27 have been amended to comport with the amendments to claim 1. Therefore, the deficiencies of the Burout reference discussed above with respect to claim 1 also apply to claims 13, 16 and 27. As previously argued, the Burout reference fails to disclose all of the limitations of claim 1 as now written.

The Christman reference is merely seen to disclose a safety razor mounted to a handle by an arrangement having several spring devices enabling a razor blade assembly to move relative to the handle. It is respectfully submitted that a spring arrangement for attaching a razor blade assembly to a handle is not seen to provide a "a plurality of support members, each of said support members having a plurality of blade seats . . . forming a plurality of rows of approximately aligned blade seats," as recited in claims 13, 16 and 27, as now written. Because the deficiency of the Burout reference has been established above, and because the Christman reference does not cure the deficiencies of the Burout reference, claims 13, 16 and 27 are necessarily non-obvious. Applicant, therefore, respectfully submits

that claims 13, 16 and 27 are allowable. Accordingly, Applicant respectfully requests that the rejection of claims 13, 16 and 27 be reconsidered and withdrawn.

Claims 6, 7, 10, 12, 14, 15, 18, 26, 28 and 31 depend directly or indirectly from claims 1, 13, 16 or 27. Because claims 1, 13, 16 or 27 are asserted to be novel and non-obvious for the reasons presented above and because Christman does not cure the deficiencies of Burout, defendant claims 6, 7, 10, 12, 14, 15, 18, 26, 28 and 31 are necessarily novel and non-obvious. Applicant, therefore, respectfully submits that claims 6, 7, 10, 12, 14, 15, 18, 26, 28 and 31 are allowable. Accordingly, Applicant respectfully requests that the rejections of claims 6, 7, 10, 12, 14, 15, 18, 26, 28 and 31 be reconsidered and withdrawn.

In the Office Action, the Examiner rejects claims 25, 29 and 31 under 35 U.S.C. §103(a) as allegedly being unpatentable over Burout in view of Christman and in further view of U.S. Patent Publication No. 2004/0221455 A1 to Coffin (hereinafter the Coffin reference). These rejections are respectfully disagreed with, and are traversed below.

The deficiencies of the Burout reference and its proposed combination with Christman have been discussed above.

The Coffin reference is seen to disclose a razor cartridge including a frame, at least four razor blades, a guard and a cap. The Examiner alleges that the Coffin reference discloses the use of non-uniform blade spacing. However, Coffin still is not seen to cure the deficiencies of Burout reference and its proposed combination with Christman as discussed above with respect to "a plurality of support members, each of said support members having a plurality of blade seats . . . forming a plurality of rows of approximately aligned blade seats," as recited in claims 16 and 27, as now written. Since claims 16 and 27 are deemed allowable and because claims 25, 29 and 31 depend directly or indirectly from claims 16 or 27, defendant claims 25, 29 and 31 are necessarily novel and non-obvious. Applicant, therefore, respectfully submits that claims 25, 29 and 31 are allowable. Accordingly, Applicant respectfully requests that the rejections of claims 25, 29 and 31 be reconsidered and withdrawn.

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In the Office Action, on the Office Action Summary page, the Examiner rejects claim 12, but does not indicate the grounds for rejection in the remainder of the Office Action. Claim 12 depends directly from claim 1. Because claim 1 is asserted to be novel and non-obvious for the reasons presented above, defendant claim 12 is necessarily novel and non-obvious. Applicant, therefore, respectfully submits that claim 12 is allowable. Accordingly, Applicant respectfully requests that the rejection of claim 12 be reconsidered and withdrawn.

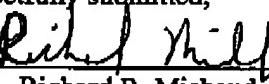
Applicant believes that the foregoing amendments and remarks are fully responsive to the Office Action and that the claims herein are allowable. In view of the foregoing points that distinguish Applicant's invention from those of the prior art and render Applicant's invention novel and non-obvious, Applicant respectfully requests that the Examiner reconsider the present application, remove the rejections, and allow the application to issue.

If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is invited to telephone the undersigned.

Based on the foregoing and for at least these reasons, Applicant respectfully submits that claims of the application in question are in condition for allowance and an early action to that effect is earnestly solicited.

No fee is believed due with the filing of this Amendment. However, if a fee is due, Applicant authorizes the payment of any additional charges that may be necessary to maintain the pendency of the present application to the undersigned attorney's Deposit Account No. 503342.

Respectfully submitted,

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